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February 10, 1995

Mr. Kurt Lindland  
Assistant Regional Counsel  
200 West Adams Street CS-29A  
Chicago, Illinois 60606

EPA Region 5 Records Ctr.



247009

Re: CERCLA Docket #V-W-95-C-283  
\$106 Order Received 2/9/95

Dear Mr. Lindland:

1. Conference Request

Chicago International received the above-referenced order on February 9, 1995. On that date, I called and requested a conference. We agreed to check our schedules and determine when that conference could take place. The order states that it will become effective five business days after we meet.

2. Work to be Performed

Under Section V(3) of the order EPA has set out the work it wants to have performed by our clients. As I explained to you, on the phone, Chicago International has its shredding line up and operating with a baghouse that appears to be operating well. As to your specific requests, Chicago International is willing to agree to the following:

- a. Dust emission control equipment has been installed on the shredder. The sorter is not operating. It will be several weeks before the sorter can be run because options on emission control equipment are still being evaluated. We will notify you in advance of the startup.
- b. Chicago International is willing to consider weekly sampling of each waste stream from the shredder and separator as set out by EPA. We need more clarification of the language in the order "for as long as the metal shredding and separating process is operated." Reasonable limits must be discussed at our

- conference (i.e. - sample for so many months and if no contamination problem is found, sample quarterly).
- c. Chicago International is willing to consider air sampling for PCBs and metals. Again, we must agree to a time frame.
  - d. Chicago International is willing to discuss development of a sampling plan, as long as we can understand fully the scope of EPA's request.

Chicago International will agree to the reporting set out at § V (3.2).

We need further clarification for section V(4). The language in this section would appear to be mandating that EPA be given access to the site to do any work (including soil remediation) without Chicago International's objection. On the other hand, if EPA is seeking access to monitor the implementation of the order only, Chicago International is willing to agree.

Under §VIII, EPA seeks reimbursement of its costs in overseeing respondents implementation of the order. Without waiving any rights to object, our clients cannot consider payment of any costs without knowing how much those costs are and if they are reasonable and necessary. Thus, at this time, Chicago International cannot agree to pay oversight costs.

Please call me to discuss the contents of this letter and if you agree to set our conference on the order on February 27, 1995, as I requested.

Very truly yours,

  
Joseph G. Nassif

JGN/cn